

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SOLOMON ABATE,)	Case No. 5:14-cv-03600-EJD
)	
Plaintiff,)	ORDER GRANTING MOTION TO
v.)	COMPEL AND MOTION FOR
)	SANCTIONS
DELTA AIR LINES, INC.,)	
)	(Re: Docket Nos. 32, 33)
Defendant.)	

Defendant Delta Air Lines, Inc. moves to compel Plaintiff Solomon Abate to provide complete responses to Delta's requests for production of documents. Delta also moves for sanctions in the form of \$4,820 in attorneys' fees it incurred in filing the motion to compel. Abate did not oppose either motion; nor did Abate appear for today's hearing on them. In light of plaintiff's failure to produce discovery, file any oppositions or appear for the hearing, the court GRANTS both of Delta's motions.¹

¹ If a motion to compel is granted, the prevailing party may recover expenses, including attorneys' fees, unless "the opposing party's nondisclosure, response, or objection was substantially justified" or "other circumstances make an award of expenses unjust." Fed. R. Civ. P. 37(a)(5). The court declines to award any additional fees for counsel's appearance at today's hearing.

SO ORDERED.

Dated: September 22, 2015


PAUL S. GREWAL
United States Magistrate Judge

United States District Court
For the Northern District of California